

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/06/2023
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RIGOBERTO EMMANUEL FERNANDEZ ESTEVEZ, :  
individually and on behalf of others similarly situated, :

Plaintiff, :

22-cv-7376 (LJL)

-v- :

ORDER

KINGS FINEST DELI INC. ET AL, :

Defendants. :

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LEWIS J. LIMAN, United States District Judge:

A hearing on the settlement was held on October 30, 2023 and memorialized by transcript. For the reasons stated at that hearing, the Court finds that the amended settlement agreement submitted on November 1, 2023, is fair and reasonable and approves Plaintiff's counsel's request for attorneys' fees and costs. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206–07 (2d Cir. 2015); *Wolinsky v. Scholastic, Inc.*, 900 F. Supp. 2d 332, 335–36 (S.D.N.Y. 2012); *see also Fisher v. SD Protection Inc.*, 948 F.3d 593, 600 (2d Cir. 2020).

Accordingly, it is hereby ORDERED that this action is DISMISSED without costs and without prejudice to restoring the action to the Court's calendar, provided the application to restore the action is made within thirty (30) days of this Order. Any application to reopen filed after thirty (30) days from the date of this Order may be denied solely on that basis.

Any pending motions are DISMISSED as moot, and all conferences and deadlines are CANCELLED.

SO ORDERED.

Dated: November 6, 2023  
New York, New York

A handwritten signature in black ink, appearing to read 'L. Liman', is written above a horizontal line.

LEWIS J. LIMAN  
United States District Judge